

(PRE-FILED)

By: **Chairman, Education, Health, and Environmental Affairs Committee**
(By Request - Departmental - Natural Resources)

Requested: November 3, 2003

Introduced and read first time: January 14, 2004

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Natural Resources - Shoreline and Blind Site Licensing**

3 FOR the purpose of altering the duration of a certain shoreline license; altering the
4 amount, timing, and disposition of the fee for obtaining a certain shoreline
5 license; requiring Maryland residents who are not licensing their own property
6 to possess a current year or prior year Maryland hunting license; altering the
7 method by which the Department of Natural Resources shall notify the public of
8 shoreline licensing; specifying the methods by which certain licenses may be
9 issued; authorizing the Department to adopt certain regulations; and generally
10 relating to the licensing of shoreline and blind sites.

11 BY repealing and reenacting, with amendments,
12 Article - Natural Resources
13 Section 10-607(h), (i), (j), and (l) and 10-608
14 Annotated Code of Maryland
15 (2000 Replacement Volume and 2003 Supplement)

16 BY repealing and reenacting, without amendments,
17 Article - Natural Resources
18 Section 10-607(k)
19 Annotated Code of Maryland
20 (2000 Replacement Volume and 2003 Supplement)

21 BY adding to
22 Article - Natural Resources
23 Section 10-607(m)
24 Annotated Code of Maryland
25 (2000 Replacement Volume and 2003 Supplement)

26 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
27 MARYLAND, That the Laws of Maryland read as follows:

1 **Article - Natural Resources**

2 10-607.

3 (h) (1) Riparian landowners, including government agencies, shall license
4 their shoreline [annually] EVERY 5 YEARS in accordance with this section.

5 (2) An applicant for a license shall:

6 (i) Submit to the Department:

7 1. An application by mail prior to June 1 of [each] THE year
8 IN WHICH THE CURRENT LICENSE EXPIRES OR FOR WHICH A NEW LICENSE IS
9 REQUESTED on a form provided by the Department;10 2. A map showing the exact location of the shoreline to be
11 licensed and the exact location of the proposed offshore stationary blinds or blind
12 sites, if any;13 3. The written permission of adjacent landowners if
14 necessary; and15 4. The written lease or assignment of the riparian landowner
16 if necessary; and

17 (ii) Pay to the Department a fee of [\$20] \$60.

18 (3) A unit of government is exempt from the application fee required
19 under paragraph (2) of this subsection.20 (i) (1) At least [1 month] 3 MONTHS before a license expires on June 30 [of
21 each year], the Department shall mail a renewal notice and a renewal application to
22 all riparian landowners [who received a license the previous year] HOLDING
23 LICENSES SUBJECT TO EXPIRATION.

24 (2) The renewal notice shall state:

25 (i) The date on which the current license expires;

26 (ii) The date by which the Department must receive the renewal
27 application for the renewal to be issued and mailed before the license expires; and

28 (iii) The amount of the renewal fee.

29 (j) Before JUNE 1ST OF THE YEAR the license expires, the licensee may renew
30 the license for an additional [1-year] 5-YEAR term, if the licensee:

31 (1) Is otherwise entitled to be licensed;

32 (2) Pays to the Department a renewal fee of [\$20] \$60; and

1 (3) Submits to the Department a renewal application on the form that
2 the Department requires.

3 (k) (1) All applications to license riparian shoreline shall be approved by the
4 Department in accordance with applicable laws and regulations.

5 (2) Whenever conflicts occur between applicants wishing to establish
6 offshore stationary blinds or blind sites and those conflicts cannot be resolved by
7 application of subsection (g) of this section, the applicant applying first shall prevail.
8 If both applications arrive in the mail on the same day a coin toss shall determine
9 which applicant shall prevail. The applicants may be present for the coin toss.

10 (l) Funds collected under this section shall be used to administer the licensing
11 program under this section. Any funds not expended in a fiscal year for administering
12 the licensing program under this section shall [revert to the General Fund] BE
13 CREDITED TO THE STATE WILDLIFE MANAGEMENT AND PROTECTION FUND.

14 (M) A RIPARIAN LANDOWNER WHO FAILS TO MEET THE JUNE 1 DEADLINE FOR
15 LICENSE APPLICATION MAY LICENSE SHORELINE AND ESTABLISH A STATIONARY
16 BLIND OR BLIND SITE FOR A 5-YEAR PERIOD DURING THE LICENSING PROCESS
17 DESCRIBED IN § 10-608 OF THIS SUBTITLE.

18 10-608.

19 (a) A Maryland resident [or a person who owns riparian property in
20 Maryland, regardless of State residency,] WHO POSSESSES A CURRENT YEAR OR
21 PRIOR YEAR HUNTING LICENSE may apply to the Department to license riparian
22 shoreline for the purpose of establishing an offshore blind site.

23 (b) An applicant for a license shall:

24 (1) Submit to the Department:

25 (i) An application on a form provided by the Department; and

26 (ii) A signed statement that:

27 1. The location of the blind site is at least 125 yards from all
28 other previously licensed riparian shoreline; and

29 2. The offshore blind site complies with all other pertinent
30 laws and regulations; and

31 (2) Pay to the Department an application fee of \$20 for each license
32 requested.

33 (c) (1) The completed application shall be submitted to Department regional
34 service centers or other designated local sites on days designated by the Department.

35 (2) The Department shall establish and adequately staff a site in each
36 county where licensing occurs.

1 (3) The Department shall [post notices of dates and locations for
2 licensing of blind sites in the office of the clerk of the court in each county] PROVIDE
3 PUBLIC NOTICE OF THE LICENSING PROCESS THROUGH THE MEDIA, INTERNET, AND
4 OTHER SOURCES.

5 (4) Licensing shall begin on or before the first Tuesday in August of each
6 year on dates set by the Department.

7 (d) Each designated site or regional service center shall have maps available
8 by July 15 of each year that show the location of all shoreline licensed by riparian
9 landowners.

10 (e) Except for riparian landowners licensing their own property, a person may
11 not obtain more than two licenses per day.

12 (f) Each license shall apply to 250 yards of shoreline. Blind sites shall be
13 located equidistant from the boundaries described by the license.

14 (g) In Kent County and Queen Anne's County and on the nontidal waters of
15 the Potomac River and its nontidal tributaries, only a riparian landowner owning the
16 amount of shoreline required under § 10-607(d) of this subtitle or a landowner's
17 lessee, licensee, or assignee may erect and maintain a stationary blind or blind site.

18 (h) Licenses are valid until June 30 of the following year and shall be issued in
19 the order the applications are received in person OR THE DEPARTMENT MAY UTILIZE
20 A LOTTERY-BASED SYSTEM.

21 (I) THE SECRETARY MAY ADOPT REGULATIONS TO IMPLEMENT THIS
22 SUBTITLE.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
24 effect July 1, 2004.